

OFFICE OF THE MONITOR

NUNEZ, ET AL. V. CITY OF NEW YORK, ET AL.

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April 4, 2021

VIA ECF

The Honorable Laura T. Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10006

MEMO ENDORSED

Re: Nunez, et al. v. City of New York, et al., 11-cv-5845 (LTS) (JCF)

Dear Judge Swain,

We write to respectfully request that the Thirteenth Monitor's Report is suspended. The Thirteenth Monitor's Report is currently due to be filed on April 20, 2022 pursuant to Consent Judgment § XX (Monitoring), ¶ 17 (dkt. 249). In the recent Special Report, the Monitoring Team recommended that the assessment of compliance and reporting pursuant to the Consent Judgment be altered, including the Thirteenth Monitor's Report. The conditions in the jails during the Thirteenth Monitoring Period (which covers July to December 2021) have been detailed to the Court in seven status reports (filed between August and December 2021), a Remedial Order Report (filed on December 22, 2022) as well as in the Special Report filed on March 16, 2022. The basis for the Monitoring Team's recommendations to suspend the Thirteenth Monitor's Report are outlined in pages 73 to 74 of the Special Report (dkt. 438, submitted March 16, 2022). The Parties have consented to the Monitor Team's request to suspend the production of the Thirteenth Monitor's Report in light of the significant reporting already provided, and the recent recommendations in the Special Report.

The Parties are currently engaging in broader discussions about the Monitoring Team's ongoing reporting. The status of these discussions (and the other recommendations in the Special Report) will be provided in the Monitoring Team's joint status report to be filed on April 20, 2022 as required by the Court's March 17, 2022 Order (dkt. 439).

Sincerely,

s/ Steve J. Martin

Steve J. Martin, *Monitor*

Anna E. Friedberg, *Deputy Monitor*

Christina B. Vanderveer, *Associate Deputy Monitor*

The foregoing request to suspend the preparation of the Thirteenth Monitor's Report is granted for the reasons stated herein, and those described within the March 16, 2022, Special Report. Dkt. no. 440 resolved.

SO ORDERED.

4/5/2022

/s/ Laura Taylor Swain, Chief USDJ